



OSMM&N File No. 205742US6

Dept.: E/M

Serial No. 09/833,731

By: BDL/SNS/dfd

In the matter of the Application of: Hiroyuki TAKEMOTO, et al.  
For: OPTICAL DISC AND OPTICAL DISC DRIVE APPARATUS

**Due Date: NA**

The following has been received in the U.S. Patent Office on the date stamped hereon:

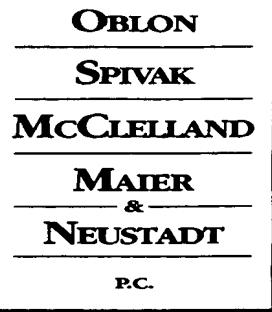
- Dep. Acct. Order Form
- Letter/Cover
- Petition under 37 CFR 1.181 (with attached copy of PTO 1449 filed 4-8-04)



**COPY**



Docket No.: 205742US6



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/833,731

Applicants: Hiroyuki TAKEMOTO, et al.

Filing Date: April 13, 2001

For: OPTICAL DISC AND OPTICAL DISC DRIVE  
APPARATUS

Group Art Unit: 2655

Examiner: HINDI, N.Z.

SIR:

Attached hereto for filing are the following papers:

**PETITION UNDER 37 C.F.R. §1.181 (with attached copy of PTO 1449 filed April 8, 2004)**

We have not included a check as we do not believe any fee is required. In the event there are any Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

**COPY**

Bradley D. Lytle  
Registration No. 40,073

Customer Number

**22850**

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Surinder Sachar  
Registration No. 34,423



DOCKET NO: 205742US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

HIROYUKI TAKEMOTO, ET AL.

: EXAMINER: HINDI, N.Z.

SERIAL NO: 09/833,731

:

FILED: APRIL 13, 2001

: GROUP ART UNIT: 2655

FOR: OPTICAL DISC AND OPTICAL  
DISC DRIVE APPARATUS

:

PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In accordance with 37 C.F.R. §1.181, Applicants respectfully request the Examiner acknowledge consideration of U.S. Patent 5,453,974 cited in the PTO-1449 form filed with the Information Disclosure Statement (IDS) on April 8, 2004. The Examiner acknowledged the two Japanese references as noted on the attached copy of the PTO Form 1449 that accompanied the Notice of Allowance, but inadvertently omitted acknowledging the U.S. Patent 5,453,974.

Accordingly, it is respectfully requested this petition be granted and the consideration of the U.S. reference listed in the IDS filed on April 8, 2004 be acknowledged.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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Surinder Sachar  
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QSMM&N File No. 205742US6

Dept.: E/M

Serial No. 09/833,731

By: BDL/kke

In the matter of the Application of: Hiroyuki TAKEMOTO, et al.

For: OPTICAL DISC AND OPTICAL DISC DRIVE APPARATUS

**Due Date: 04/12/2004**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- Information Disclosure Statement (In Duplicate)
- PTO-1449
- Cited References (3)
- Check for \$770.00
- Request for Continued Examination (RCE) Transmittal (In Duplicate)

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*COPY*

Docket No. 205742US6



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hiroyuki TAKEMOTO, et al.

SERIAL NO: 09/833,731

GAU: 2655

RCE FILED: Herewith

EXAMINER: Hindi, Nabil Z.

FOR: OPTICAL DISC AND OPTICAL DISC DRIVE APPARATUS

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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Bradley D. Lytle

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APR 08 2004

SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 205742US6	TRADEMARK OFFICE		SERIAL NO. 09/833,731
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Hiroyuki TAKEMOTO, et al.			
APR 18 2005 MPEP 609 PATENT & TRADEMARK OFFICE				FILING DATE RCE FILED HEREWITH	GROUP 2655		
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT & TRADEMARK NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,453,974	09/26/1995	Takeshi MINODA, et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
RECEIVED APR 13 2004 Technology Center 2600							
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
NID	AO	04-315823	11/06/1992	JAPAN (w/ English Abstract)	YES	NO	
AA	AP	04-301263	10/23/1992	JAPAN (w/ English Abstract and Corresponding USP 5,453,974)	—	—	
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW						
	AX						
	AY						
	AZ						
							<input type="checkbox"/> Additional References sheet(s) attached
Examiner	Nabil Hinch						Date Considered 3/8/05
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							